

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DERRICK L. JOHNSON,
Petitioner,

v.

SCOTT KERNAN,
Respondent.

Case No. 18-cv-07048-JST (PR)

ORDER OF DISMISSAL

Petitioner has not complied with the Court's order to (1) file a complete application to proceed in forma pauperis ("IFP"), or (2) pay the \$5.00 filing fee. Accordingly, the action is **DISMISSED** without prejudice for failure to respond to the Court's order and for failure to prosecute under Federal Rule of Civil Procedure 41(b). Because this dismissal is without prejudice, petitioner may move to reopen the action. Any such motion **must** contain a complete IFP application, or full payment for the \$5.00 filing fee. The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: January 8, 2019



JON S. TIGAR
United States District Judge